



PATENT
Attorney Docket No. 07481.0044-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Kazuo TAGAWA et al.)
Application No.: 10/565,739) Group Art Unit: 1797
Filed: September 25, 2006)
For: REFRIGERATING MACHINE OIL) Examiner: VASISTH, Vishal V.
COMPOSITION) Confirmation No.: 6221
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Nippon Oil Corporation, duly organized under the laws of Japan and having its principal place of business at 3-12, Nishi-shimbashi 1-chome, Minato-ku, Tokyo, Japan ("Assignee"), represents that it is the assignee of the entire right, title, and interest in and to the above-identified application, Application No. 10/565,739, filed September 25, 2006 for REFRIGERATING MACHINE OIL COMPOSITION in the names of Kazuo TAGAWA and Katsuya TAKIGAWA, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 018361, Frame 0252 on September 25, 2006. Assignee further represents that it is the assignee of the entire right, title, and interest in and to U.S. Patent Application No. 10/566,494, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 108248, Frame 0773 on August 29, 2006.

12/23/2009 SZEWDIE1 00000020 10565739

03 FC:1814

148.00 OP

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any U.S. patent granted on patent application No. 10/566,494. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any U.S. patent granted on application No. 10/566,494, as presently shortened by any terminal disclaimer, in the event that any such patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated before the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule in 37 C.F.R. § 1.20(d), the required fee of \$140.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please

charge the fees to Deposit Account 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 22, 2009

By: J. W. Edmondson

James W. Edmondson
Reg. No. 33,871
(202) 408-4000